IN THE CHANCERY COURT OF   COUNTY, MISSISSIPPI

VS.   **CASE NO.**

   ,   ,   ,   **AND**

ANSWER TO COMPLAINT AND MOTION TO DISMISS

COMES NOW   ,   and   , individually, and   , individually, and in answer to the Complaint filed in the within cause, answer as follows, to-wit:

MOTION TO DISMISS

COMES now the Defendants,   ,   and   and move the Court to dismiss the Complaint filed in the within cause, together with the Cross-Claim filed herein, and for grounds would show unto the Court that this Court fails to have proper jurisdiction of the parties.   has been amended with the Secretary of State's Office of the State of Mississippi, and its proper name is now   , a limited liability company, and has as its principle place of business   ,   ,   County, Mississippi.   and   , individually, are not adult resident citizens of   County, Mississippi, and have not been such since   , and were not adult resident citizens of   County, Mississippi, at the time of the filing of the original Complaint in this cause of action, and affirmatively show unto the Court that they are both actual adult bona fide resident citizens of   County, Mississippi, and have been such since   , and were such at the time of the filing of the Complaint in this cause on   , 20   .

The Complaint, as filed herein, fails to state a claim upon which relief can be granted as against these Defendants.

ANSWER TO COMPLAINT

In answer to the Complaint filed against them,   ,   and   answer as follows, to-wit:

1.

These Defendants deny that this Court has jurisdiction of this cause, and denies that is subject to the jurisdiction of this Court, and would affirmatively show that it is now named (a limited liability company). The individual Defendants,   and   deny that they are adult resident citizens of   County, Mississippi, and deny that they are subject to the jurisdiction of this Court, and deny that they reside at   ,   , Mississippi, and deny that they lived at such address at the time of the filing of this Complaint on   ,   . Affirmatively, the individual Defendants would show unto the Court that they reside at   ,   ,   County, Mississippi   .

2.

These Defendants deny the allegations of paragraph 2 of the Complaint 3,4,5,6,7. & 8.

These Defendants admit the allegations of paragraphs 3., 4., 5., 6., 7. and 8. of the original Complaint.

9.

The Defendant,   , denies that he/she has committed a fraud to the detriment of   . denies that he/she improperly converted assets in   and   's investment accounts to his/her own use by forging their endorsements on a check, as described in paragraph 9. Affirmatively, admits that he/she placed the names of   and   on the back of the check as described in paragraph 9, and admits that he/she deposited the proceeds of the check in his/her account at   .

10.

The Defendant,   , admits the allegations of paragraph 10. of the Complaint, but would affirmatively show that   is actually named   .

11.

denies that he/she committed fraud on anyone, but admits that he/she sent the   a dividend shown as Exhibit "E" in the Complaint.

12.

The Defendant,   , admits the allegations of paragraph 12. of the Complaint, but would affirmatively show that the name   should be   , and would further affirmatively show that did not transmit those funds to   , where they now remain but, in fact,   transmitted those funds to   , where they now remain. The remaining allegations of paragraph 12. are admitted.

13. & 14.

These Defendants admit the allegations of paragraphs 13. & 14. of the Complaint.

15.

These Defendants admit the allegations of paragraph 15, except for the word "forged" instrument.

16.,17.,18.,19., & 20.

These Defendants admit the allegations of paragraphs 16.,17.,18.,19. & 20. of the Complaint.

PRAYER FOR RELIEF

These Defendants deny that this Court should grant any prayer for relief as prayed for in the original Complaint since it does not have jurisdiction over the parties. In the alternative, these Defendants admit that they are indebted to   in the sum prayed for, but would

affirmatively show that   should receive the $ previously paid to   . These Defendants admit the allegations of paragraph C of the Prayer for Relief.

Respectfully submitted,

_____

Attorney for

Of counsel:

Telephone:
MSB #
Attorney for